THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 20478 of 2006

Dated:13.11.2006

Between:

D. George, S/o late D. Ramulu, aged about 36 years, Occ: Junior Accounts Officer, in K.T.P.S-V, Palvoncha, r/o Q.No.F-39, A Colony, K.T.P.S. Palvoncha, Khammam District.

.... PETITIONER

AND

A.P. Power Generation Corporation Limited (APGENCO), Vidyuth Soudha, Hyderabad, rep. by its Managing Director and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 20478 of 2006

Order:

Questioning the orders, dated 19.09.2006, passed by the 1st respondent-Managing Director requesting the 3rd respondent-Chief Engineer to revert the petitioner from the post of Junior Accounts Officer to the post of UDC, the present writ petition is filed.

2. Learned counsel for the petitioner mainly contended that as per the directions of the 1st respondent-Managing Director only, the 3rd respondent promoted the petitioner as Junior Accounts Officer, but the 1st respondent-Managing Director, without issuing any notice and without giving any opportunity of hearing to the petitioner, again passed the present impugned orders directing the 3rd respondent to revert the petitioner from the post of JAO to the post of UDC by canceling the earlier relaxation orders, which is illegal and arbitrary.

3. This Court, on 28.09.2006, while ordering notice before admission, directed to maintain *status quo*. The 4th respondent, who is going to get the benefit of said promotion, filed implead petition in W.P.M.P. No. 29181 of 2006, and the same was allowed by order of this Court, dated 06.11.2006. The official respondents filed counter affidavit along with vacate stay petition. The 4th respondent also filed vacate stay petition.

4. When the matter is taken up for hearing today, learned Standing Counsel for the official respondents 1 to 3, on instructions, submits that the impugned order is only an administrative decision taken by the 1st

respondent-Managing Director and communicated the same to the 3rd respondent-Chief Engineer and so far they have not acted upon the said decision, and even before issuing show cause notice the petitioner has approached this Court. She further submits that before passing any reversion orders, the respondents will issue show cause notice to the petitioner.

5. Having regard to the said submission made by the learned Standing Counsel for the official respondents 1 to 3, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions.

Respondent Nos.1 to 3 are directed to issue show cause notice to the petitioner before passing any reversion order, and after considering the explanation/objections that may be raised by the petitioner, they are at liberty to pass appropriate orders in the matter in accordance with law.

6. Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 13.11.2006
Nsr/Grk